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Attorney for Defendant

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 19 2006
at 1 o'clock and 6 min. PM
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CASE NO. 1:02CR00117-001
)	
vs.)	
)	DEFENDANT'S <i>EX PARTE</i>
ROY L. FROST)	MOTION FOR
)	AUTHORIZATION TO HIRE
Defendant.)	POLYGRAPHER ALAN
)	CASTRO; DECLARATION OF
)	COUNSEL; ORDER GRANTING
)	DEFENDANT'S MOTION FOR
)	AUTHORIZATION TO HIRE
)	POLYGRAPHER ALAN
)	CASTRO
)	

DEFENDANT'S *EX PARTE* MOTION FOR AUTHORIZATION
TO HIRE POLYGRAPHER ALAN CASTRO

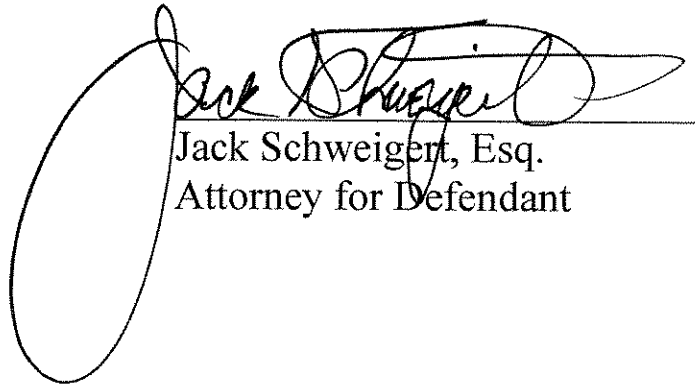
COMES NOW DEFENDANT ROY L. FROST by and through counsel
and moves this Honorable Court *ex parte* to authorize defense counsel to
engage Alan Castro as a polygrapher.

EXHIBIT 1

By this motion, it is requested that Alan Castro be paid a total of \$250.00 to conduct a polygraph examination of Defendant Roy L. Frost at the Federal Detention Center and prepare a report for defense counsel's use.

This motion is made in accordance with 18 U.S.C. § 3006A(e)(3) and is supported by the attached declaration of counsel and the record and file.

DATED: Honolulu, Hawaii; September 13, 2006.



Jack Schweigert, Esq.
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CASE NO. 1:02CR00117-001
)	
vs.)	
)	DECLARATION OF JACK
ROY L. FROST)	SCHWEIGERT, ESQ.
)	
)	
)	
)	
)	

DECLARATION OF JACK SCHWEIGERT, ESQ.

I, Jack Schweigert, declare as follows:

1. I am newly court-appointed substitute counsel for Defendant Roy L. Frost, replacing Attorney Harlan Kimura who withdrew due to a conflict of interest.

2. I believe there is a critical need to have my client polygraphed before I file a Petition for Writ of *Habeas Corpus* on his behalf. In that regard, my client's version of the facts are disputed, and before I would file a petition, I must at least have my client pass a polygraph on the disputed points, which my client is agreeable with.

3. I have used Polygrapher Alan Castro in prior cases and can vouch for his credentials and ability as a polygraphist.

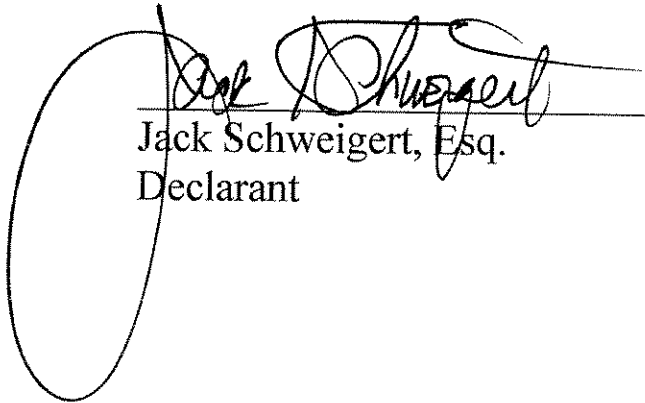
4. Mr. Castro is an investigator with the State Attorneys General office and does polygraphs part-time.

5. Mr. Castro has agreed to perform a polygraph examination of Mr. Frost at the Federal Detention Center and prepare a report for a total fee of \$250.00.

6. Based on the foregoing, I ask for the Court's order authorizing me to engage Polygrapher Alan Castro's services to perform a polygraph examination of Mr. Frost and prepare a report for defense counsel's use and charge a total fee of \$250.00.

I declare under penalty of perjury the foregoing is true and correct.

Executed in Honolulu, Hawaii, this 13th day of September 2006.



Jack Schweigert, Esq.
Declarant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CASE NO. 1:02CR00117-001
)
vs.) ORDER APPROVING
) DEFENDANT'S EX PARTE
ROY L. FROST) MOTION FOR
) AUTHORIZATION TO HIRE
) POLYGRAPHER ALAN
) CASTRO
)
)
_____)

ORDER APPROVING
DEFENDANT'S EX PARTE MOTION FOR AUTHORIZATION
TO HIRE POLYGRAPHER ALAN CASTRO

Defendant's motion for authorization to hire Polygrapher Alan Castro was presented to this court *ex parte*. The Court, having considered the motion, finds the requisite good cause exists to grant the motion. NOW THEREFORE,

IT IS HEREBY ORDERED that Defense counsel is authorized to engage Polygrapher Alan Castro to perform a polygraph examination of Defendant Roy L. Frost, prepare a report for defense counsel's use, and be paid a total of \$250.00 via a Form CJA-21.

DATED: Honolulu, Hawaii; SEP 18 2006

BARRY M. KURREN

JUDGE OF THE ABOVE-ENTITLED COURT